

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO, EASTERN DIVISION**

MENG HUANG,

Plaintiff,

v.

THE OHIO STATE UNIVERSITY and  
GIORGIO RIZZONI,

Defendants.

Case No: 2:19-cv-1976

Judge James L. Graham

Magistrate Judge: Chelsey M. Vascura

**DEFENDANT GIORGIO RIZZONI'S MOTION TO QUASH TRIAL WITNESS SUBPOENAS  
WHICH CONFLICT WITH THIS COURT'S BIFURCATION ORDER**

Now comes Defendant Giorgio Rizzoni ("Dr. Rizzoni") and respectfully requests this Honorable Court for an order quashing the trial witness subpoenas which conflict with this Court's bifurcation order (ECF #176).

At the final pretrial conference and in its April 7, 2023 Order, the Court indicated that it intended for the trial in this matter to proceed in three phases: 1.) Liability – whether Dr. Rizzoni inappropriately touched Plaintiff, 2.) Compensatory damages (if necessary) and 3.) Punitive damages (if necessary). The Court's Order specifically states that the first phase of trial will NOT include any evidence of Dr. Rizzoni's "alleged manipulation, coercion and influence." If Plaintiff prevails during the first phase of trial, she may "present this kind of evidence at the second stage of trial." Id., PAGEID # 7085.

More to the point, the Court was exceedingly clear about what would and would not be relevant to the liability phase in both the pretrial conference and in its order, and instructed the parties that all testimony must be focused on the central issue of whether Dr. Rizzoni inappropriately touched Plaintiff. The Court further and repeatedly stated in the

conference that witnesses without personal knowledge about that inappropriate touching would not testify at the initial phase.

Notwithstanding the Court's patent clarity on this issue, Plaintiff's counsel indicated that Plaintiff planned to disregard that order *immediately after the Court left the room*. Specifically, while the parties were still in the conference room, Defendant inquired with Plaintiff regarding an amended witness list *just for the first phase of trial*. Plaintiff's counsel indicated that, regardless of the Court's ruling, Plaintiff still intended to call all witnesses on her witness list during the first phase of trial, namely:

1. Dyche Anderson, an employee of Ford.
2. Kristi Hoge and Jonathan Parry, the OSU employees who were assigned to investigation Plaintiff's claims of sexual harassment after she made her initial complaint, but who had never met Plaintiff or Dr. Rizzoni prior to that point.
3. Matt Page from OSU's graduate school who has never met Plaintiff or Dr. Rizzoni.
4. Megan Lawther from OSU's International Student organization who has never met Plaintiff or Dr. Rizzoni.
5. Viswanath Subramaniam, a retired professor from OSU's College of Mechanical and Aerospace Engineering to whom Plaintiff complained in December 2017 and which complaint lead to the OSU internal investigation.

(See email communication of April 10, 2023, Exhibit A).

Defense counsel expressed surprise at this claim given the Court's clarity in the conference but wanted to give Plaintiff's counsel the opportunity to reconsider prior to involving the Court.

On April 12, 2023, however, Plaintiff communicated her intention to subpoena the above-mentioned witnesses for the first phase of trial, and further to call witnesses Westerndorf and Philips (treating physicians of Plaintiff who Plaintiff identified as damages experts) to testify “as to liability” during the first phase of trial. (Email communication of April 12, 2023, Exhibit B)

*None of these witnesses have any personal knowledge relevant to whether Dr. Rizzoni inappropriately touched Plaintiff.* Witnesses Page and Lawther have never even met Plaintiff or Dr. Rizzoni. (Page Depo., pg. 11)(Depo. Excerpts, Exhibit C). Witnesses Hoge and Parry (the OSU investigators) never met or even heard of Plaintiff or Dr. Rizzoni until *after* Plaintiff complained to the University. (Parry Depo, pg. 66; Hoge Depo., pgs. 46, 50) They have no personal knowledge about whether inappropriate touching did or did not occur and any information about what Parry and Hoge learned during their investigation of Plaintiff's complaint would be inadmissible hearsay. Witness Anderson is a Ford employee who testified in his deposition that he has no idea whether Dr. Rizzoni inappropriately touched Plaintiff or not. (Anderson Depo., pg. 61, 65, 86)(“I was aware of nothing,” and “didn’t know what to believe.”) Witness Subramaniam was the department chair to whom Plaintiff complained about the alleged harassment, but he testified in his deposition that he has no knowledge of whether Dr. Rizzoni inappropriately touched any of his students, including Plaintiff, only learned of these allegations after the fact, and was not a witness to any claimed improper behavior (Subramaniam Depo., pgs. 50-69). Last, witnesses Westerndorf and Philips are treating physicians who provided care to Plaintiff. They have no personal knowledge of whether Plaintiff was inappropriately touched by Dr. Rizzoni.

Plaintiff has now issued subpoenas to these witnesses, compelling them to testify during the first phase of trial on the topic of whether Dr. Rizzoni inappropriately touched Plaintiff. Plaintiff has also subpoenaed for trial Dr. Yong, who this court has already ruled is prohibited from testifying at trial. (ECF #176, PAGEID #7086)(See also, witness subpoenas, Exhibit D). In addition, Plaintiff has indicated an intention to read Dyche Anderson's discovery deposition into evidence. Dr. Rizzoni has objected to this. Because none of these witnesses has any knowledge relevant to the first phase of trial, the subpoenas should be quashed. It is unfair<sup>1</sup> to haul witnesses into Court, only to have the Court rule that they have no knowledge relevant to the first phase of the trial. If Plaintiff wishes to preserve issues for appeal, she may request to proffer on the record what she anticipated the witness testimony to be. She does not have to haul the witnesses into court for that issue.

Dr. Rizzoni requests that this Court issue an order which precludes the calling of the above witnesses during the first phase of trial and quashes the trial subpoenas, in keeping with this Court's oral rulings during the final pretrial conference with the parties and this Court's bifurcation order (ECF #176).

**Dave Yost**  
**Ohio Attorney General**

/s/ Christina L. Corl  
CHRISTINA L. CORL (0067869)  
Plunkett Cooney  
716 Mt. Airyshire, Suite 150  
Columbus, Ohio 43235  
Telephone: (614) 629-3018  
Facsimile: (614) 629-3019

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<sup>1</sup> For instance, Kristi Hoge has scheduled a pre-paid vacation to Disney in Florida during the entire week of trial in this case.

ccorl@plunkettcooney.com  
*Counsel for Defendant, The Ohio State University*

**CERTIFICATE OF SERVICE**

Please take notice that counsel hereby certifies that the foregoing document was electronically filed/transmitted with the Clerk's Office using its electronic filing system on April 15, 2023, which will notify all parties of record via electronic mail.

/s/ Christina L. Corl  
Christina L. Corl

Open.25577.83339.30892583-1

**Corl, Christina**

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**From:** Peter Pattakos <peter@pattakoslaw.com>  
**Sent:** Saturday, April 8, 2023 8:52 AM  
**To:** Corl, Christina  
**Cc:** Gregory Gipson  
**Subject:** Re: Huang

[EXTERNAL]

Yes, that is correct. The testimony of these witnesses is all highly relevant and probative of the question of whether Rizzoni subjected Huang to unwanted touching or not and we will lay the foundation for same as Judge Graham said yesterday that we would be permitted to do.

Peter Pattakos  
The Pattakos Law Firm LLC  
101 Ghent Road  
Fairlawn, OH 44333  
330.836.8533 office; 330.285.2998 mobile  
[peter@pattakoslaw.com](mailto:peter@pattakoslaw.com)  
<https://pattakoslaw.com/>

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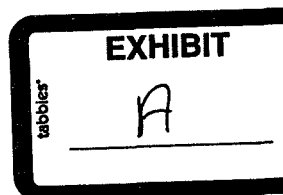
On Fri, Apr 7, 2023 at 11:42 AM Corl, Christina <[CCorl@plunkettcooney.com](mailto:CCorl@plunkettcooney.com)> wrote:

Peter, I want to make sure I understand our conversation following the final pretrial today.

I inquired about an amended witness list for the first phase of the trial.

You stated that you still intend to call all the witnesses identified in the pretrial order during the first phase of trial, including Kristi Hoge, Jonathan Parry, Dyche Anderson, Matt Page, Megan Lawther and Vishwanath Subramaniam.

Is that correct or did I misunderstand you?





**Christina L. Corl**

Plunkett Cooney  
Attorneys & Counselors at Law  
T 614.629.3018 C 614.309.9212

[bio](#) | [office](#) | [vcard](#) | [web](#)

## Corl, Christina

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**From:** Peter Pattakos <peter@pattakoslaw.com>  
**Sent:** Wednesday, April 12, 2023 5:55 PM  
**To:** Corl, Christina  
**Subject:** Re: Huang v. Rizzoni - Trial witnesses/subpoenas

[EXTERNAL]

Ah, OK, well I can confirm that we intend to call Meng first and Rizzoni second at trial. From there, and also in the liability phase of the trial, we would anticipate calling Subramaniam, then play the video of portions of Anderson's deposition on the record, then proceed with Parry, Hoge, Lawther, and Page. As to these last four we may not call them all depending on how the testimony goes, but it would be more or less in that order. Finally, Westerndorf's and Philip's testimony speak to liability as well as damages so we would reserve the right to seek to enter their testimony during the liability phase as well, and that would be after all of the aforementioned witnesses. Regardless of whether the Court permits all of these witnesses to testify during the liability phase (which we believe, as the evidence will come in, it will), we would call these in more or less the same order during the second phase of the trial in any event. I hope this helps. Please let me know if this changes your position as to accepting service. Otherwise we will go ahead and proceed with service tomorrow.

Thanks,

Peter Pattakos  
The Pattakos Law Firm LLC  
101 Ghent Road  
Fairlawn, OH 44333  
330.836.8533 office; 330.285.2998 mobile  
[peter@pattakoslaw.com](mailto:peter@pattakoslaw.com)  
<https://pattakoslaw.com/>

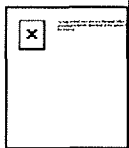
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On Wed, Apr 12, 2023 at 5:32 PM Corl, Christina <[CCorl@plunkettcooney.com](mailto:CCorl@plunkettcooney.com)> wrote:

Yes. For whatever witnesses you intend to call at trial you will need to issue subpoenas. Dr. Rizzoni will be attending trial but we have no idea when you intend to call him so we cannot guarantee his appearance. If you provide more detail about dates/times and stages of trial, etc. when you intend to call witnesses we may be able to assist and/or agree to accept subpoenas. But you have not done that.

### Christina L. Corl



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Christina L. Corl

**EXHIBIT**

B



1	IN THE UNITED STATES DISTRICT COURT	00:00:59
2	FOR THE SOUTHERN DISTRICT OF OHIO, EASTERN DIVISION	00:00:59
3	-----x	00:00:59
4	MENG HUANG, : Case No. 2:19-cv-1976	00:00:59
5	Plaintiff, :	00:00:59
6	-v- :	00:00:59
7	THE OHIO STATE :	00:00:59
8	UNIVERSITY AND GIORGIO :	00:00:59
9	RIZZONI, :	00:00:59
10	Defendants. :	00:00:59
11	-----x	00:00:59
12		00:00:59
13	Videotaped Deposition of MATT PAGE	00:00:59
14	Conducted Virtually	00:00:59
15	Friday, January 15, 2021	00:00:59
16	11:58 a.m. EST	00:00:59
17		00:00:59
18		00:00:59
19		00:00:59
20	Job No.: 345476C	00:00:59
21	Pages: 1-39	00:00:59
22	Reported by: Pamela L. Beck	00:00:59
23		
24		
25		



Transcript of Matt Page  
Conducted on January 15, 2021

11

1	designated categories?	12:06:08
2	A Specifically for today, I carefully	12:06:13
3	reviewed our graduate school handbook, which is our	12:06:15
4	foundational documents that we use. And I also	12:06:19
5	reviewed the 2015-2016 mechanical and aerospace	12:06:23
6	engineering student handbook.	12:06:30
7	Q Okay. Did you talk to anyone other than	12:06:33
8	counsel for OSU in preparing for today?	12:06:38
9	A I did not.	12:06:45
10	Q Okay. And I take it you didn't review	12:06:46
11	any email or any other documents in this case?	12:06:48
12	A I did not.	12:06:52
13	Q And I take it you did not review the	12:06:55
14	Complaint that was filed by Plaintiff in this case?	12:06:56
15	A I did not.	12:07:00
16	Q How did you become aware of this	12:07:04
17	litigation, in general?	12:07:06
18	A When one of the individuals from our	12:07:11
19	Office of Legal Affairs reached out to me to discuss	12:07:13
20	the possibility of participating in a deposition.	12:07:17
21	Q Okay. Before that, you were unaware?	12:07:21
22	A That's correct, I don't remember learning	12:07:25
23	about a lawsuit.	12:07:26
24	Q Okay. Can you just -- just a general	12:07:34
25	question, can you describe to me generally the	12:07:37

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO

\* \* \*

MENG HUANG,

Plaintiff,

vs.

CASE NO. 2:19-cv-1976

THE OHIO STATE UNIVERSITY

and GEORGE RIZZONI,

Defendants.

\* \* \*

Deposition of JONATHAN J. PARRY, Witness  
herein, called by the Plaintiff for  
cross-examination pursuant to the Rules of Civil  
Procedure, taken before me, Caryl L. Blevins, a  
Notary Public in and for the State of Ohio, at the  
offices of Plunkett & Cooney, PC, 300 E. Broad  
Street, Suite 590, Columbus, Ohio, on Wednesday,  
November 5, 2020, at 9:22 a.m.

\* \* \*

1 MS. CORL: Objection, asked and  
2 answered. You can answer again.

3 THE WITNESS: Yeah, I don't recall  
4 any specific instructions that she gave me.

5 BY MR. FOX:

6 Q. How did you find out that Professor  
7 Giorgio Rizzoni, chair of -- the endowed chair --  
8 Ford Chair of the university, was the subject of  
9 Meng's allegations?

10 A. I either found that out from Meng  
11 herself or from when Meng was connected with our  
12 office.

13 Q. Okay. And -- and you knew about his  
14 status on -- within the university organization at  
15 the time you commenced the -- the investigation?

16 MS. CORL: Objection.

17 THE WITNESS: I -- I'm not -- I'm not  
18 sure if I'm answering your question. I had never  
19 heard of Dr. Rizzoni prior to this investigation.

20 BY MR. FOX:

21 Q. Okay. So what -- what did you do  
22 when you learned that he was the subject of Meng's  
23 complaint about long-term harassment and assaults  
24 over a period of years?

25 What did you do to find out about him

1           IN THE UNITED STATES DISTRICT COURT

2           FOR THE SOUTHERN DISTRICT OF OHIO

3                   \*   \*   \*

4       MENG HUANG,

5           Plaintiff,

6           VS

                  Case No.  
                  2:19-CV-1976

7       THE OHIO STATE UNIVERSITY and  
8       GIORGIO RIZZONI,

9           Defendants.

10                   \*   \*   \*

11                   Videotaped Deposition of KRISTI M.

12       HOGE, Witness herein, called by the Plaintiff  
13       for examination pursuant to the Rules of Civil  
14       Procedure, taken before me, Donald Correll, a  
15       Notary Public in and for the State of Ohio, at  
16       the offices of Plunkett Cooney, 300 East Broad  
17       Street, Suite 590, Columbus, Ohio, on Thursday,  
18       the 25th day of June 2020, at 9:44 a.m.

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Transcript of Kristi M. Hoge  
Conducted on June 25, 2020

46

1	external investigations that have been done	10:31:10
2	other than those you mentioned by the	10:31:12
3	University?	10:31:12
4	A. I personally am not aware of them.	10:31:14
5	Q. Was Giorgio Rizzoni a high profile	10:31:20
6	person?	10:31:20
7	A. I would not consider him to be a	10:31:24
8	high profile person as it related to	10:31:28
9	significant interest in the media is what I was	10:31:34
10	talking about.	10:31:36
11	Q. What do you define as significant	10:31:38
12	interest in the media?	10:31:38
13	A. That the media -- it -- it -- it's	10:31:44
14	in the news.	10:31:46
15	Q. Has this case been in the news, to	10:31:52
16	your knowledge?	10:31:52
17	A. I do not know.	10:31:54
18	Q. You don't know. Has it been	10:31:56
19	written about in The Lantern?	10:31:58
20	A. I do not know.	10:31:58
21	Q. Has it been covered by the local	10:32:00
22	media?	10:32:02
23	A. I do not know.	10:32:02
24	Q. Have you not consulted any media	10:32:04
25	attention, any media sources, addressing this	10:32:08

Transcript of Kristi M. Hoge  
Conducted on June 25, 2020

50

1	Parry?	10:35:16
2	A. No. Jonathan and I did not	10:35:18
3	discuss having external investigator.	10:35:26
4	Q. Did you and Mr. Parry discuss	10:35:30
5	whether or not Mr. Rizzoni -- Professor Rizzoni	10:35:34
6	should be considered a high profile person	10:35:36
7	within the University?	10:35:38
8	A. No.	10:35:40
9	Q. How many investigations have	10:35:46
10	you -- work place investigations -- have you	10:35:48
11	conducted while at the University?	10:35:50
12	A. I don't have a specific number,	10:35:54
13	but I would say over a hundred investigations I	10:36:00
14	have personally conducted.	10:36:02
15	Q. How many of them involved	10:36:04
16	allegations have sexual harassment?	10:36:06
17	A. More than 80 percent of them.	10:36:10
18	Q. So you think you've done roughly	10:36:16
19	80 investigations of that nature?	10:36:18
20	A. I think that's an appropriate	10:36:20
21	approximation.	10:36:22
22	Q. Okay. And what proportion of that	10:36:26
23	involved complaints made against faculty	10:36:30
24	members?	10:36:32
25	A. I don't know if I could give an	10:36:38





Transcript of Dyche Anderson  
Conducted on November 10, 2020

61

1 Q. Okay. Did he -- did he reveal to you at this  
2 point or any other point he had been systematically  
3 harassing Meng over a period of time?

4 A. No.

5 MS. CORL: Objection. Objection. Assumes facts  
6 not in evidence.

7 BY MR. FOX:

8 Q. And you had no idea that he was engaged in such  
9 behavior; isn't that correct?

10 MS. CORL: Same objection.

11 BY MR. FOX:

12 Q. You can answer. Counsel for OSU is just stating  
13 an objection for the record. You had no idea?

14 A. I was aware of nothing.

15 MR. FOX: Okay. Okay. We can take the exhibit  
16 down. Okay. Okay. I'd like to turn next to  
17 Exhibit 129. If we could put that up on the screen,  
18 please?

19 (Exhibit 129 was marked for  
20 identification.)

21 THE VIDEO TECH: Yes, Counsel. Please stand by.  
22 The exhibit should now be on the screen.

23 A. I see it. Thank you.

24 Q. Okay. Let me -- before we begin the exhibit,  
25 let me ask you were you asked to be on Meng's -- I think

Transcript of Dyche Anderson  
Conducted on November 10, 2020

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1 that after a webex meeting that Meng did not attend in  
2 Rizzoni's -- with Professor Rizzoni in his -- in his  
3 private office; do you know?

4 A. That was the day after a meeting. Because these  
5 were teleconferences and not with video, I would never  
6 have any idea whether they were in the same room or  
7 separate rooms, but it was the day after a meeting and  
8 both were present in the meeting.

9 Q. Okay. And were you aware or -- or -- or did you  
10 become aware that he would take the opportunity to grope  
11 her during these meetings?

12 A. I would have no idea whether anything like that  
13 happened or not. It was only on -- these were only tele  
14 -- these were only on audio.

15 Q. Okay. And do you recall any -- any of these  
16 webex meetings where there -- there was any kind of  
17 expression of -- of -- of concern by Meng or where --  
18 where she indicated her -- her -- her fear and just --  
19 just general discomfort with what was going on in these  
20 meetings?

21 A. She never indicated that to me directly in those  
22 terms.

23 Q. Okay. Were you -- do you recall any webex  
24 meetings where there was any outbursts by Meng?

25 A. Yes, I do.

Transcript of Dyche Anderson  
Conducted on November 10, 2020

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1 to China without a degree and that she couldn't tell her  
2 parents because if she did, her father would come and  
3 confront him, and so we had -- we had -- we had a long  
4 talk. She -- part of it was a shoulder to cry on for  
5 her, but we had some very long talks both days.

6 Q. Okay. Were you deeply affected by your  
7 conversations with her?

8 A. I was stunned that -- I had no idea there was  
9 any -- that was the first I heard of any allegation of  
10 sexual harassment.

11 Q. Okay. Did you believe her?

12 A. I didn't know what to believe. I -- she felt --  
13 sounded believable, yes.

14 Q. Okay. And did you prepare, then, a report to  
15 anyone about her based upon your conversations with her  
16 about her being harassed?

17 A. After the phone con -- our telephone  
18 conversation, I immediately contacted Ford human  
19 resources and personnel employee relations to see what I  
20 should do. Since I knew that she had been a Ford  
21 employee, I would have to report it. So, I asked them  
22 what I should do and they recommended that I report it  
23 and tell her what to do, so -- and then I did report it  
24 the next day.

25 Q. Okay. And did you report it in -- in -- in a

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

-----x  
MENG HUANG : Case No.:  
Plaintiff, : 2:19-cv-1976  
-v- :  
THE OHIO STATE UNIVERSITY :  
and GIORGIO RIZZONI, :  
Defendants. :

-----x  
Videotape Deposition of VISHWANATH SUBRAMANIAM  
CONDUCTED REMOTELY  
Thursday, February 25, 2021  
1 p.m. EST

Job No.: 350214

Pages: 1 - 73

Reported by: Keith G. Shreckengast, RPR

Transcript of Vishwanath Subramaniam  
Conducted on February 25, 2021

50

1	Q	And she met those standards?	14:21:00
2	A	Yes.	14:21:02
3	Q	Let me ask you this, have you ever heard	14:21:17
4		of any other allegations, other than Meng's	14:21:21
5		allegations, about Professor Rizzoni engaging in any	14:21:25
6		unwanted touching with any of his students, or	14:21:33
7		persons reporting to him, or colleagues for that	14:21:38
8		matter?	14:21:41
9	A	No.	14:21:42
10	Q	Were there any rumors circulating about	14:21:47
11		him to that effect?	14:21:50
12	A	Not that I'm aware.	14:21:51
13	Q	Do you know what kind of training he had	14:21:57
14		on sexual harassment?	14:22:00
15	A	I'm not aware of that.	14:22:03
16	Q	And including, do you know if he had any	14:22:06
17		special training after -- on sexual harassment,	14:22:09
18		after he returned from administrative leave?	14:22:11
19	A	I don't know.	14:22:14
20	Q	Was it your expectation that he would	14:22:17
21		have received some special training, given the	14:22:19
22		nature of the charges?	14:22:22
23	A	I think all of us unit leaders, and I	14:22:24
24		think directors of centers, are required to go	14:22:26
25		through training. I imagine they would have. But I	14:22:31

Transcript of Vishwanath Subramaniam  
Conducted on February 25, 2021

51

1	don't know, because I only know what Chairs go	14:22:34
2	through.	14:22:38
3	Q Okay. And have you ever seen OSU's	14:22:39
4	sexual misconduct policy?	14:22:46
5	A Yes.	14:22:49
6	Q Why don't we -- I'd like to put up what's	14:22:50
7	been marked as Plaintiff's Exhibit 2.	14:22:53
8	MR. FOX: If I could ask the technician	14:22:54
9	to do so, please.	14:22:57
10	(Exhibit 2 was marked for	14:23:02
11	identification.)	14:23:02
12	Q You can scroll through a little bit, if	14:23:25
13	you like. But do you recognize this document?	14:23:27
14	A Yes.	14:23:30
15	Q Does this represent OSU's sexual	14:23:30
16	harassment policy?	14:23:33
17	A To my knowledge, yes.	14:23:35
18	MS. CORL: Object to the form of the	14:23:36
19	question. There's no time frame to your question.	14:23:37
20	Q Do you know if this appears to represent	14:23:42
21	OSU's sexual harassment policy?	14:23:45
22	MS. CORL: Same objection. You can	14:23:50
23	answer if you know.	14:23:50
24	A To my knowledge, yes.	14:23:52
25	Q And if you turn to the first page, it	14:23:53

Transcript of Vishwanath Subramaniam  
Conducted on February 25, 2021

52

1	looks like it was issued on 10-1-1980. And it	14:24:01
2	indicates it was revised on 8-23-2016. Do you see	14:24:05
3	that?	14:24:10
4	A Yes.	14:24:11
5	Q And now the policy, OSU's policy	14:24:13
6	governing sexual harassment prohibits relationships	14:24:26
7	between professors and students, correct?	14:24:30
8	A Yes.	14:24:34
9	MS. CORL: Objection, this policy speaks	14:24:34
10	for itself. The witness can answer.	14:24:36
11	A To my knowledge, yes.	14:24:38
12	Q Do you know why such relationships are	14:24:42
13	prohibited?	14:24:45
14	MS. CORL: Same answer -- same objection.	14:24:46
15	You can answer if you know.	14:24:48
16	A I'm no expert, but my guess would be that	14:24:49
17	whenever there's a power differential, and it's not	14:24:52
18	necessarily between faculty and student, it can be	14:24:55
19	even senior faculty and junior faculty, or faculty	14:24:56
20	and staff, whenever there's a power differential in	14:24:57
21	a work environment, that's not a good idea.	14:25:06
22	Q And how does that power differential	14:25:09
23	manifest itself in the context of relationship	14:25:11
24	between a Ph.D advisor and their student advisee?	14:25:15
25	MS. CORL: Objection, it calls for	14:25:22

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1	speculation. This witness can answer if he knows.	14:25:23
2	A I'm not sure what specifically you're	14:25:26
3	asking. If you could be clearer, I could try to	14:25:28
4	answer.	14:25:30
5	Q Maybe if you could just -- if I could	14:25:31
6	just back up a minute. Generally, what do you mean	14:25:31
7	by a power differential?	14:25:33
8	A Well, for example, a professor -- between	14:25:36
9	a professor and a student, a professor has --	14:25:40
10	certainly a graduate student, there's say in when	14:25:43
11	they graduate, what they work on. The student	14:25:49
12	certainly has the freedom to leave and choose	14:25:53
13	another advisor, but sometimes it's not always easy	14:25:56
14	to do. So there's a definite power differential	14:25:59
15	there. Between a full professor and an untenured	14:26:04
16	assistant professor, there's an obvious power	14:26:09
17	differential there. One votes on the other person's	14:26:12
18	tenure. That's my understanding.	14:26:15
19	Q Okay. Is the power differential even	14:26:19
20	more acute when the student is a foreign national	14:26:22
21	who is in the U.S. based upon the student visa?	14:26:25
22	MS. CORL: Objection, foundation, calls	14:26:29
23	for speculation. You can answer if you know.	14:26:31
24	A I suppose there are additional factors	14:26:35
25	that come into play, sure.	14:26:38



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1	Q	And is it hard to determine if a	14:26:39
2		relationship between a student and a professor is	14:26:41
3		consensual due to the power differential the	14:26:45
4		professor has over the student?	14:26:50
5	MS. CORL:	Same objection, you can answer	14:26:52
6		if you know.	14:26:53
7	A	I really don't know how to answer that.	14:26:55
8		I don't know.	14:26:56
9	Q	Okay. Now were you responsible as head	14:26:58
10		of the -- as Department Chair, for making sure that	14:27:03
11		members of the MAE department completed sexual	14:27:06
12		harassment training?	14:27:11
13	A	We have University officials that look	14:27:15
14		into that. But it's not specifically my	14:27:16
15		responsibility, no.	14:27:19
16	Q	Okay. It's your understanding that all	14:27:21
17		members of the department have to go to sexual	14:27:26
18		harassment training?	14:27:29
19	A	I don't know.	14:27:31
20	Q	Okay. I want to just turn to another	14:27:33
21		subject. Were you aware of the Title IX studies at	14:27:37
22		OSU, and their findings of sexual harassment and	14:27:42
23		assaults of OSU students?	14:27:49
24	A	No.	14:27:51
25	MR. FOX:	I'd like the technician to put	14:27:53

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1	up Plaintiff's Exhibit 3, please.	14:27:56
2	(Exhibit 3 was marked for	14:27:59
3	identification.)	14:27:59
4	MR. FOX: If you could scroll to the	14:28:26
5	second page.	14:28:28
6	Q Do you recall seeing this document? It	14:28:33
7	appears to be a slide show.	14:28:36
8	A No. But I imagine it was part of our	14:28:38
9	training. We're all required to take an online	14:28:42
10	module.	14:28:45
11	Q Okay. Well, I honestly don't know if	14:28:47
12	this was part of your online training or if it was	14:28:50
13	outside of your training. But if we could just	14:28:55
14	scroll through the document to see if it refreshes	14:28:59
15	your recollection.	14:29:02
16	A Yeah, I can't remember.	14:29:05
17	Q Do you recall seeing any statistics in	14:29:11
18	any University studies regarding the levels of	14:29:15
19	sexual assault of undergraduate females or graduate	14:29:20
20	females?	14:29:26
21	A I don't know.	14:29:27
22	Q If we could just hold it there on page --	14:29:28
23	actually, if we could go to page 10, please. Do you	14:29:32
24	recall seeing any information as reflected on page	14:29:42
25	10, regarding the percentages of sexual assault	14:29:46

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1	among undergraduate females reported by them?	14:29:50
2	A No. But I have seen articles in the New	14:29:55
3	York Times and other -- other newspapers that report	14:29:58
4	this nationally.	14:30:02
5	Q Okay. If we could turn to page 11. Do	14:30:04
6	you recall seeing any data as reflected here,	14:30:11
7	indicating the level of sexual assault of graduate	14:30:18
8	females at OSU?	14:30:22
9	A I don't recall, no.	14:30:24
10	Q It indicates 45 percent report being	14:30:26
11	sexually harassed. Do you recall learning of any	14:30:30
12	data like that, with that high of a level of	14:30:36
13	reported harassment?	14:30:38
14	A No. All I know is my personal experience	14:30:40
15	being in this department for 33 years, and this is	14:30:43
16	the first case of sexual harassment that I've seen	14:30:46
17	personally.	14:30:50
18	Q Okay. Are you generally aware that	14:30:52
19	victims of sexual harassment are often very	14:30:55
20	reluctant to report it.	14:30:58
21	A Yes.	14:31:00
22	MR. FOX: We can take down the slide,	14:31:11
23	slides.	14:31:13
24	Q Do you have knowledge of what OSU's	14:31:23
25	policies are regarding retaliation by professors for	14:31:25

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1	their students reporting sexual harassment?	14:31:32
2	A Off the top of my head, no. But I'm sure	14:31:35
3	that when I was there, I went through training for	14:31:39
4	it.	14:31:42
5	Q Are you aware of -- you mentioned the New	14:31:46
6	York Times. Are you aware that there have been a	14:31:48
7	number of cases in the news over recent -- in recent	14:31:51
8	years, over sexual harassment, appears to be	14:31:55
9	pervasive at OSU?	14:32:00
10	MS. CORL: Objection, that's not true.	14:32:03
11	But you can answer if you know.	14:32:04
12	A I have seen national --	14:32:06
13	MR. FOX: Don't testify for the witness	14:32:08
14	please, counsel.	14:32:09
15	Q You can answer the question, Vish,	14:32:11
16	please.	14:32:12
17	MS. CORL: Objection, it's not true. You	14:32:13
18	can answer if you know.	14:32:15
19	A I've only seen national data. I've never	14:32:18
20	seen anything specific to OSU.	14:32:21
21	Q Are you familiar, for example, with the	14:32:23
22	band director being removed in 2014 due to sexual	14:32:27
23	harassment and sexualized atmosphere that he	14:32:31
24	promoted in the band?	14:32:34
25	MS. CORL: Objection, that assumes facts	14:32:36

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1	not in evidence, and that's not what happened. But	14:32:36
2	you can answer if you know.	14:32:39
3	MR. FOX: What happened? Tell me.	14:32:41
4	Please quit instructing the witness how he should	14:32:44
5	answer.	14:32:47
6	MS. CORL: I'm not instructing the	14:32:47
7	witness.	14:32:48
8	Q You can answer, Vish, please.	14:32:50
9	A All I know is what I saw in the	14:32:51
10	newspapers. So I hear -- I remember hearing	14:32:54
11	something about the band director and a culture of	14:32:57
12	sexual harassment in the band back then.	14:33:00
13	Q And you're of course familiar with the	14:33:04
14	allegations with the events surrounding Dr. Strauss,	14:33:06
15	correct?	14:33:09
16	A I've, again, heard about that in the	14:33:10
17	papers.	14:33:13
18	Q Okay. And are you familiar with the	14:33:14
19	resignation of William White in February 2019?	14:33:16
20	A No.	14:33:19
21	Q Do you know who William White was, that	14:33:22
22	he was the Director of Community and Corporate	14:33:24
23	Engagement --	14:33:28
24	A No.	14:33:30
25	Q -- College of Engineering? Okay. Now	14:33:31

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1	have you had any contact with -- I presume you have	14:33:35
2	contact with Marcello Canova?	14:33:37
3	A Yes, he's on my faculty.	14:33:42
4	Q Was he dating one the students prior to	14:33:43
5	her graduation?	14:33:46
6	A I recall seeing some reports to that	14:33:48
7	effect, letters to that effect. She, I believe, is	14:33:56
8	now his wife.	14:33:59
9	Q Okay. What letters do you recall seeing?	14:34:00
10	A I recall seeing that it was reported to	14:34:05
11	the University that it needs to be managed. And	14:34:09
12	that proper precautions were put in place, so they	14:34:13
13	were -- the sexual harassment policy would not be	14:34:18
14	violated.	14:34:21
15	Q Do you know who reported it to the	14:34:22
16	University?	14:34:23
17	A I don't remember. I think it was -- it	14:34:25
18	came out of CAR, and it -- I think my predecessor,	14:34:27
19	the former Chair, was the one who had handled that.	14:34:34
20	Q Okay. Let me ask you this, did you	14:34:43
21	collaborate on any projects, professionally, with	14:34:54
22	Professor Rizzoni?	14:34:57
23	A Many decades ago, yes. I believe way	14:35:00
24	back in the mid '90s. I had a project on -- he had	14:35:02
25	a project on combustion on which he needed some	14:35:09

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1	help. And I think one of my students helped him	14:35:13
2	with that.	14:35:16
3	Q But beyond that, you haven't collaborated	14:35:16
4	with him or had any research?	14:35:18
5	A No. I think there was a Tenneco project,	14:35:20
6	I did collaborate with faculty at CAR on it.	14:35:26
7	Q Okay. Were you aware that Rizzoni had	14:35:31
8	recruited other female Chinese students, brought	14:35:33
9	them over from China to serve as his advisees?	14:35:37
10	MS. CORL: Objection, assumes facts not	14:35:42
11	in evidence. You can answer.	14:35:43
12	A I'm not surprised. I mean we have a lot	14:35:46
13	of graduate students from China that work with all	14:35:50
14	of our faculty.	14:35:53
15	Q Okay. Were you aware that he had a	14:35:55
16	practice of interviewing these young Chinese women	14:36:01
17	in hotel rooms in China?	14:36:06
18	MS. CORL: Objection, assumes --	14:36:09
19	A I'm not aware of that.	14:36:09
20	MS. CORL: -- facts not in evidence.	14:36:11
21	MR. FOX: There's plenty of evidence that	14:36:13
22	happened in this case. Will you stop making	14:36:15
23	groundless objections, counsel.	14:36:17
24	MS. CORL: I'm not make groundless	14:36:19
25	objections.	14:36:20

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1	Q	Were you aware that he did that with Meng	14:36:21
2		Huang?	14:36:24
3	A	I think I remember --	14:36:26
4		MS. CORL: Objection, assumes facts not	14:36:27
5		in evidence.	14:36:29
6	A	I think I remember Meng Huang saying that	14:36:30
7		in one of our meetings.	14:36:35
8	Q	Would that be inappropriate, in your	14:36:36
9		view?	14:36:38
10	A	I don't know the circumstances. I can't	14:36:41
11		really judge it.	14:36:43
12	Q	It's not something you would do, though,	14:36:45
13		in recruiting an advisee, correct?	14:36:47
14	A	I've recruited students before. But I	14:36:51
15		don't know what you mean.	14:36:53
16	Q	I'm not suggesting -- You wouldn't meet	14:36:54
17		them in a hotel room, in your hotel room, in the	14:36:56
18		initial meeting or interview with them, would you?	14:37:00
19	A	No.	14:37:04
20	Q	Were you responsible for evaluating	14:37:06
21		Professor Rizzoni in any way after you became Chair?	14:37:10
22	A	I evaluate all our faculty. So in his	14:37:15
23		capacity as a professor in my department, he submits	14:37:18
24		an annual report, just like every other faculty	14:37:23
25		member. And so I do evaluate him as a faculty	14:37:25



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1	member for merit raises and so forth. But there's a	14:37:30
2	separate, he also reports, as the director of CAR,	14:37:33
3	to the Dean.	14:37:35
4	Q Okay. Did you have any criticisms of him	14:37:39
5	in your evaluations of him?	14:37:56
6	A No.	14:38:01
7	Q Were you aware that he was unable to --	14:38:07
8	did you understand that he was somehow unable to	14:38:10
9	meet with students during the week, and had to meet	14:38:13
10	with them on weekends?	14:38:16
11	A I was told by Meng that that was	14:38:20
12	happening. And I think it's not unusual. There are	14:38:22
13	other faculty that do that, especially when they	14:38:27
14	have very extensive travel during the week. And I	14:38:29
15	think as Director of CAR, he traveled a lot.	14:38:33
16	Q Okay. And did any faculty or other	14:38:36
17	members of the MAE department ever complain about	14:38:44
18	Professor Rizzoni in any way, about any matter?	14:38:48
19	A Not that I'm aware.	14:38:52
20	Q Did anyone ever indicate he's too touchy	14:38:55
21	with his students?	14:38:59
22	A No.	14:39:00
23	Q Let me ask you, have you ever failed	14:39:08
24	anyone on their candidacy exam?	14:39:09
25	A Yes.	14:39:12

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1	Q	Did you give them a second chance?	14:39:13
2	A	Yes.	14:39:15
3	Q	On how many occasions, do you recall?	14:39:19
4	A	Maybe a couple.	14:39:21
5	Q	Let me ask you this, if you know, in the	14:39:36
6		MAE department, how many years does it typically	14:39:38
7		take for a Ph.D student to be ready to take the	14:39:41
8		candidacy exam?	14:39:46
9	A	Typically about -- it's -- we should	14:39:48
10		frame this from the point of view of it depends on	14:39:51
11		the area, and it depends on whether the research is	14:39:55
12		experimental, computational, or theoretical, or a	14:39:58
13		combination of all. But generally the path to a	14:40:01
14		Ph.D, beyond the Master's, is three to five years.	14:40:04
15		So candidacy exam typically takes place in that time	14:40:07
16		frame of three to five years.	14:40:10
17	Q	Is a written portion of the candidacy	14:40:14
18		exam required in the MAE department?	14:40:17
19	A	There's a requirement of the graduate	14:40:21
20		school that there be a written portion. And how	14:40:23
21		that is done is up to each department. And in our	14:40:26
22		department, we use a research proposal as the	14:40:32
23		written document.	14:40:34
24	Q	So the written -- the dissertation	14:40:35
25		proposal will suffice for the written portion?	14:40:38

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1	A	Yes.	14:40:41
2	Q	How frequently are Ph.D students given an	14:40:42
3		additional written question prior to the exam, do	14:40:48
4		you know?	14:40:51
5	A	I don't know how often that happens. But	14:40:52
6		that practice is dependent on the advisor. I've	14:40:54
7		done that in some occasions, simply because it's	14:40:57
8		good for students to know certain areas, slightly	14:41:01
9		related to but outside their area.	14:41:05
10	Q	Now just describe for me generally how	14:41:09
11		the candidacy exam committee is chosen.	14:41:11
12	A	That, too, varies from advisor to	14:41:15
13		advisor. Generally the student and the faculty	14:41:21
14		member together decide who might be acceptable to	14:41:26
15		both on the committee. And it's usually done	14:41:30
16		together. And the committee is selected, and of	14:41:38
17		course, then, the committee members have to be	14:41:41
18		willing to serve on it.	14:41:44
19	Q	Is that unusual for the advisor to change	14:41:46
20		committee members shortly before the candidacy exam,	14:41:49
21		without first consulting or even advising the	14:41:53
22		student?	14:41:57
23	A	It doesn't usually happen, no.	14:41:58
24	Q	Let me ask you this, you've served on	14:42:03
25		candidacy exam committees for candidates who were	14:42:04

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1	not your advisees; is that correct?	14:42:09
2	A Yes.	14:42:11
3	Q How many times have you done that?	14:42:15
4	A Done what?	14:42:16
5	Q How many times have you served on the	14:42:17
6	candidacy exam for persons --	14:42:18
7	A I couldn't tell you. Dozens of times.	14:42:22
8	Q And how many candidacy exams have you	14:42:25
9	participated in generally?	14:42:26
10	A I couldn't tell you. Upwards of 50 to	14:42:28
11	100, maybe more.	14:42:31
12	Q Just tell me, what typically occurs at a	14:42:33
13	candidacy exam?	14:42:35
14	A The rules have varied over the years.	14:42:38
15	Because my chronology is about 33 years' worth of	14:42:41
16	data. So things have evolved. So the way it is	14:42:45
17	done now is that two weeks prior to the oral exam,	14:42:50
18	the student submits a written document, which can be	14:42:57
19	a thesis proposal, or a dissertation proposal. Or,	14:43:02
20	in some cases, in addition to that, there can be	14:43:06
21	problems assigned by the committee members that are	14:43:09
22	then take-home problems that are solved and	14:43:12
23	submitted and graded.	14:43:15
24	And the oral exam, during the oral exam,	14:43:17
25	sometimes students are asked to make a brief	14:43:21

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1	presentation about what -- their given overview, and	14:43:23
2	about ten to 15 minutes, or five to ten minutes.	14:43:27
3	And that's not considered part of the two hour exam.	14:43:29
4	And following that, there are questions	14:43:34
5	asked by the committee, internally. And it just	14:43:36
6	rotates around and around. And the questions that	14:43:40
7	are related to the dissertation topic, or subject	14:43:42
8	areas related to the dissertation topic, and they're	14:43:46
9	generally at a graduate level.	14:43:50
10	Q Okay. Are students, in your experience,	14:43:52
11	always permitted to give the brief presentation at	14:43:54
12	the beginning of the candidacy exam, that you	14:43:56
13	mentioned?	14:43:59
14	A It varies from advisor to advisor. In	14:44:00
15	some cases, yes; some cases, no.	14:44:02
16	Q Let me ask you this, are the records	14:44:19
17	maintained of whether or not a student passed or	14:44:25
18	failed the candidacy exam?	14:44:29
19	A I believe so. That's a question better	14:44:30
20	directed to our graduate program staff. But I think	14:44:32
21	that graduate school or the graduate program staff	14:44:36
22	will be able to answer that.	14:44:41
23	Q Okay. So do you know if failing an	14:44:43
24	initial candidacy exam would stay on the student's	14:44:45
25	permanent transcript?	14:44:50

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1	A	I don't know.	14:44:51
2	Q	How long does it typically take to decide	14:44:54
3		whether a student has passed their candidacy exam	14:44:56
4		after it's given?	14:44:59
5	A	You can tell right away, because it's an	14:45:01
6		oral exam. It's pretty clear.	14:45:03
7	Q	Is it common for members of the candidacy	14:45:13
8		exam committee to discuss in advance of the exam	14:45:19
9		whether or not the student should be treated harshly	14:45:31
10		during the exam?	14:45:39
11	A	The committee typically never meets	14:45:40
12		before the exam.	14:45:43
13	Q	Did, prior to Meng's report of	14:45:49
14		harassment, had Rizzoni ever told you that she was a	14:46:06
15		difficult student?	14:46:09
16	A	Not to -- not to me. But I believe there	14:46:12
17		was a report made to Professor Bons at some point.	14:46:15
18		Because I recall Professor Bons either telling me	14:46:21
19		about it or sharing an email or something.	14:46:25
20	Q	Okay. Would you have expected that if it	14:46:28
21		was Professor Rizzoni's expectation that Meng would	14:46:34
22		fail her candidacy exam, that he might talk to you	14:46:38
23		about it in advance?	14:46:46
24		MS. CORL: Objection, calls for	14:46:49
25		speculation.	14:46:49

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1	A	I don't understand the question.	14:46:51
2	Q	Let me -- let me withdraw it. Did you	14:46:55
3		ever talk to anyone at Ford about Meng?	14:47:03
4	A	Me personally, no.	14:47:10
5	Q	Yes. Going back to Professor Zhang, did	14:47:12
6		you have any discussions with Professor Zhang about	14:47:29
7		her potential service on the candidacy committee	14:47:33
8		exam?	14:47:35
9	A	Professor -- is this Wei Zhang?	14:47:37
10	Q	Yes. Yes.	14:47:42
11	A	I believe that's a he.	14:47:44
12	Q	I meant to say his. Thank you.	14:47:45
13	A	It's confusing, because there's a	14:47:49
14		Professor Zhang who is also in our department, and	14:47:52
15		so she's in our graduate program too. No, I	14:47:57
16		don't -- I don't recall anything.	14:48:02
17	Q	Can I ask you this, how was Meng's	14:48:26
18		funding secured for her tuition and funding after	14:48:30
19		she was reassigned to a new advisor?	14:48:37
20	A	I used department funds to do that. It	14:48:43
21		came out of our budget.	14:48:51
22	Q	Did you ever review the investigative	14:49:06
23		report for Meng's case that was issued in March of	14:49:09
24		2018?	14:49:18
25	A	Was that the report issued by The Ohio	14:49:19

Transcript of Vishwanath Subramaniam  
Conducted on February 25, 2021

69

1	State University?	14:49:23
2	Q Yes.	14:49:24
3	A I do remember reading it.	14:49:25
4	Q Okay. For what purpose did you review	14:49:27
5	it?	14:49:31
6	A Because I had it.	14:49:31
7	Q Did you have any discussions with Meng	14:50:02
8	about her reaction to the report?	14:50:05
9	A I don't recall that, no.	14:50:08
10	Q Who sent you a copy of the investigative	14:50:27
11	report, do you recall?	14:50:29
12	A I don't remember. But it would have been	14:50:30
13	in the email records. I believe it was either sent	14:50:32
14	through the college or from HR. I don't remember.	14:50:36
15	Q Were you aware that other female Chinese	14:50:44
16	students had stated that Rizzoni had touched her	14:50:50
17	inappropriately?	14:50:53
18	MS. CORL: Objection, assumes facts not	14:50:55
19	in evidence. You can answer.	14:50:57
20	A Only after I read that report.	14:50:58
21	Q No one consulted you about whether the	14:51:03
22	decision to return Rizzoni to the campus, and to	14:51:06
23	have access to other female Chinese students, did	14:51:12
24	they?	14:51:16
25	A No.	14:51:17



AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio



Meng Huang

Plaintiff

v.

Georgio Rizzoni

Defendant

Civil Action No. 2:19-cv-01976

SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION

To:

Sarah Philip, C.N.P.

(Name of person to whom this subpoena is directed)

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Joseph P. Kinneary U.S. Courthouse 85 Marconi Boulevard Columbus, Ohio 43215	Courtroom No.: see Ex A re specific date/time/rm# Date and Time: 05/01/2023 9:00 am
---	--

You must also bring with you the following documents, electronically stored information, or objects (leave blank if not applicable):

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/13/2023

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party)

Plaintiff Meng Huang

, who issues or requests this subpoena, are:

Peter Pattakos, The Pattakos Law Firm, 101 Ghent Road, Fairlawn, OH 44333, peter@pattakoslaw.com, 330.836.8533

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible trial, a notice and a copy of the subpoena must be served on each party in this case before it is served whom it is directed. Fed. R. Civ. P. 45(a)(4).

EXHIBIT

D

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 2:19-cv-01976

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_

on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**Exhibit A**

To the subpoenaed witness:

Trial in the above-captioned case will begin on May 1, 2023 at 9:00 AM at the Joseph P. Kinneary U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio 43215. However, the courtroom where the trial will take place has yet to be assigned, and the precise date and time for your subpoenaed testimony will depend upon the progress of the proceedings and scheduling with the Court and other witnesses, which are not yet known. We ask that upon receipt of this subpoena, you contact Attorney Peter Pattakos by phone at 330.836.8533 (office), 330.285.2998 (mobile) and/or by email at [peter@pattakoslaw.com](mailto:peter@pattakoslaw.com) and remain in touch through the duration of trial to coordinate a more precise date and time of your testimony. We anticipate that you will be called as a witness some time between May 1, 2023 and May 12, 2023. We will do our best to limit the inconvenience to your schedule caused by the trial appearance and we appreciate your patience and cooperation. However, your duty to comply and appear shall remain until you either complete your testimony or are notified by Attorney Pattakos that you are released from your obligation to appear under the subpoena.

Thank you.

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio



Meng Huang

Plaintiff

v.

Georgio Rizzoni

Defendant

Civil Action No. 2:19-cv-01976

SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION

To:

Meghan Lawther

(Name of person to whom this subpoena is directed)

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Joseph P. Kinneary U.S. Courthouse 85 Marconi Boulevard Columbus, Ohio 43215	Courtroom No.: see Ex A re specific date/time/rm# Date and Time: 05/01/2023 9:00 am
---	--

You must also bring with you the following documents, electronically stored information, or objects *(leave blank if not applicable)*:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/13/2023

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)*

Plaintiff Meng Huang

, who issues or requests this subpoena, are:

Peter Pattakos, The Pattakos Law Firm, 101 Ghent Road, Fairlawn, OH 44333, peter@pattakoslaw.com, 330.836.8533

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 2:19-cv-01976

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:



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- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

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**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

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**Exhibit A**

To the subpoenaed witness:

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Thank you.



AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio



Meng Huang

Plaintiff

v.

Georgio Rizzoni

Defendant

Civil Action No. 2:19-cv-01976

SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION

To:

Matt Page

(Name of person to whom this subpoena is directed)

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Joseph P. Kinneary U.S. Courthouse 85 Marconi Boulevard Columbus, Ohio 43215	Courtroom No.: see Ex A re specific date/time/rm# Date and Time: 05/01/2023 9:00 am
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Date: 04/13/2023

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)*

Plaintiff Meng Huang

, who issues or requests this subpoena, are:

Peter Pattakos, The Pattakos Law Firm, 101 Ghent Road, Fairlawn, OH 44333, peter@pattakoslaw.com, 330.836.8533

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*Server's signature*

\_\_\_\_\_  
*Printed name and title*

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**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**Exhibit A**

To the subpoenaed witness:

Trial in the above-captioned case will begin on May 1, 2023 at 9:00 AM at the Joseph P. Kinneary U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio 43215. However, the courtroom where the trial will take place has yet to be assigned, and the precise date and time for your subpoenaed testimony will depend upon the progress of the proceedings and scheduling with the Court and other witnesses, which are not yet known. We ask that upon receipt of this subpoena, you contact Attorney Peter Pattakos by phone at 330.836.8533 (office), 330.285.2998 (mobile) and/or by email at [peter@pattakoslaw.com](mailto:peter@pattakoslaw.com) and remain in touch through the duration of trial to coordinate a more precise date and time of your testimony. We anticipate that you will be called as a witness some time between May 1, 2023 and May 12, 2023. We will do our best to limit the inconvenience to your schedule caused by the trial appearance and we appreciate your patience and cooperation. However, your duty to comply and appear shall remain until you either complete your testimony or are notified by Attorney Pattakos that you are released from your obligation to appear under the subpoena.

Thank you.

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio



Meng Huang

Plaintiff

v.

Georgio Rizzoni

Defendant

Civil Action No. 2:19-cv-01976

SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION

To: Vishwanth Subramaniam

(Name of person to whom this subpoena is directed)

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Joseph P. Kinneary U.S. Courthouse 85 Marconi Boulevard Columbus, Ohio 43215	Courtroom No.: see Ex A re specific date/time/rm# Date and Time: 05/01/2023 9:00 am
---	--

You must also bring with you the following documents, electronically stored information, or objects *(leave blank if not applicable)*:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04 / 11 / 2023

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)*

Plaintiff Meng Huang

, who issues or requests this subpoena, are:

Peter Pattakos, The Pattakos Law Firm, 101 Ghent Road, Fairlawn, OH 44333, peter@pattakoslaw.com, 330.836.8533

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 2:19-cv-01976

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_

on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:



**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**Exhibit A**

To the subpoenaed witness:

Trial in the above-captioned case will begin on May 1, 2023 at 9:00 AM at the Joseph P. Kinneary U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio 43215. However, the courtroom where the trial will take place has yet to be assigned, and the precise date and time for your subpoenaed testimony will depend upon the progress of the proceedings and scheduling with the Court and other witnesses, which are not yet known. We ask that upon receipt of this subpoena, you contact Attorney Peter Pattakos by phone at 330.836.8533 (office), 330.285.2998 (mobile) and/or by email at [peter@pattakoslaw.com](mailto:peter@pattakoslaw.com) and remain in touch through the duration of trial to coordinate a more precise date and time of your testimony. We anticipate that you will be called as a witness some time between May 1, 2023 and May 12, 2023. We will do our best to limit the inconvenience to your schedule caused by the trial appearance and we appreciate your patience and cooperation. However, your duty to comply and appear shall remain until you either complete your testimony or are notified by Attorney Pattakos that you are released from your obligation to appear under the subpoena.

Thank you.



AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio



Meng Huang

Plaintiff

v.

Georgio Rizzoni

Defendant

Civil Action No. 2:19-cv-01976

SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION

To:

Sheila Westendorf, M.D.

(Name of person to whom this subpoena is directed)

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Joseph P. Kinneary U.S. Courthouse 85 Marconi Boulevard Columbus, Ohio 43215	Courtroom No.: see Ex A re specific date/time/rm# Date and Time: 05/01/2023 9:00 am
---	--

You must also bring with you the following documents, electronically stored information, or objects (leave blank if not applicable):

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/13/2023

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party)

Plaintiff Meng Huang

, who issues or requests this subpoena, are:

Peter Pattakos, The Pattakos Law Firm, 101 Ghent Road, Fairlawn, OH 44333, peter@pattakoslaw.com, 330.836.8533

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 2:19-cv-01976

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_

on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.: \_\_\_\_\_

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
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**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
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**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

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- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
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- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

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**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
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**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**Exhibit A**

To the subpoenaed witness:

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Thank you.

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

## UNITED STATES DISTRICT COURT

for the  
Southern District of Ohio

Meng Huang

Plaintiff

v.

Georgio Rizzoni

Defendant

Civil Action No. 2:19-cv-01976

SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION

To:

Kristi Hoge

(Name of person to whom this subpoena is directed)

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Joseph P. Kinneary U.S. Courthouse  
85 Marconi Boulevard  
Columbus, Ohio 43215

Courtroom No.: see Ex A re specific date/time/rm#

Date and Time: 05/01/2023 9:00 am

You must also bring with you the following documents, electronically stored information, or objects (leave blank if not applicable):

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/13/2023

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party)

Plaintiff Meng Huang

, who issues or requests this subpoena, are:

Peter Pattakos, The Pattakos Law Firm, 101 Ghent Road, Fairlawn, OH 44333, peter@pattakoslaw.com, 330.836.8533

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AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 2:19-cv-01976

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (name of individual and title, if any) \_\_\_\_\_

on (date) \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on (date) \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:



3)

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

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  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

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(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

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(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
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(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

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(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**Exhibit A**

To the subpoenaed witness:

Trial in the above-captioned case will begin on May 1, 2023 at 9:00 AM at the Joseph P. Kinneary U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio 43215. However, the courtroom where the trial will take place has yet to be assigned, and the precise date and time for your subpoenaed testimony will depend upon the progress of the proceedings and scheduling with the Court and other witnesses, which are not yet known. We ask that upon receipt of this subpoena, you contact Attorney Peter Pattakos by phone at 330.836.8533 (office), 330.285.2998 (mobile) and/or by email at [peter@pattakoslaw.com](mailto:peter@pattakoslaw.com) and remain in touch through the duration of trial to coordinate a more precise date and time of your testimony. We anticipate that you will be called as a witness some time between May 1, 2023 and May 12, 2023. We will do our best to limit the inconvenience to your schedule caused by the trial appearance and we appreciate your patience and cooperation. However, your duty to comply and appear shall remain until you either complete your testimony or are notified by Attorney Pattakos that you are released from your obligation to appear under the subpoena.

Thank you.



AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio



Meng Huang

Plaintiff

v.

Giorgio Rizzoni

Defendant

Civil Action No. 2:19-cv-01976

SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION

To:

Giorgio Rizzoni

(Name of person to whom this subpoena is directed)

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Joseph P. Kinneary U.S. Courthouse 85 Marconi Boulevard Columbus, Ohio 43215	Courtroom No.: see Ex A re specific date/time/rm# Date and Time: 05/01/2023 9:00 am
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You must also bring with you the following documents, electronically stored information, or objects *(leave blank if not applicable)*:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/13/2023

CLERK OF COURT

OR



Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)*

Plaintiff Meng Huang

, who issues or requests this subpoena, are:

Peter Pattakos, The Pattakos Law Firm, 101 Ghent Road, Fairlawn, OH 44333, peter@pattakoslaw.com, 330.836.8533

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 2:19-cv-01976

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

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**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**Exhibit A**

To the subpoenaed witness:

Trial in the above-captioned case will begin on May 1, 2023 at 9:00 AM at the Joseph P. Kinneary U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio 43215. However, the courtroom where the trial will take place has yet to be assigned, and the precise date and time for your subpoenaed testimony will depend upon the progress of the proceedings and scheduling with the Court and other witnesses, which are not yet known. We ask that upon receipt of this subpoena, you contact Attorney Peter Pattakos by phone at 330.836.8533 (office), 330.285.2998 (mobile) and/or by email at [peter@pattakoslaw.com](mailto:peter@pattakoslaw.com) and remain in touch through the duration of trial to coordinate a more precise date and time of your testimony. We anticipate that you will be called as a witness some time between May 1, 2023 and May 12, 2023. We will do our best to limit the inconvenience to your schedule caused by the trial appearance and we appreciate your patience and cooperation. However, your duty to comply and appear shall remain until you either complete your testimony or are notified by Attorney Pattakos that you are released from your obligation to appear under the subpoena.

Thank you.

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio



Meng Huang

Plaintiff

v.

Georgio Rizzoni

Defendant

Civil Action No. 2:19-cv-01976

SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION

To:

Chiaothong Yong, Psy.D.

(Name of person to whom this subpoena is directed)

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Joseph P. Kinneary U.S. Courthouse  
85 Marconi Boulevard  
Columbus, Ohio 43215

Courtroom No.: see Ex A re specific date/time/rm#

Date and Time: 05/01/2023 9:00 am

You must also bring with you the following documents, electronically stored information, or objects *(leave blank if not applicable)*:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/13/2023

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)*

Plaintiff Meng Huang

, who issues or requests this subpoena, are:

Peter Pattakos, The Pattakos Law Firm, 101 Ghent Road, Fairlawn, OH 44333, peter@pattakoslaw.com, 330.836.8533

## Notice to the person who issues or requests this subpoena

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AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 2:19-cv-01976

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:



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Thank you.